

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR12-207-MJP
Plaintiff,)
)
v.)
) DETENTION ORDER
GERALD RIGGINS,)
)
Defendant.)
_____)

Offense charged: Distribution of Heroin; Possession of a Firearm by a Prohibited Person

Date of Detention Hearing: October 26, 2012.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 2. Defendant's prior record includes numerous failures to appear for hearing
04 resulting in bench warrant activity. He has pending drug charges in the State of Oregon for
05 which, according to the AUSA, he faces a potential mandatory minimum sentence of 51 months
06 custody.

07 3. The AUSA proffers that, pursuant to a search warrant issued upon the
08 defendant's arrest in this case, three loaded firearms were located in the defendant's nightstand
09 drawer.

10 4. Taken as a whole, the record does not effectively rebut the presumption that no
11 condition or combination of conditions will reasonably assure the appearance of the defendant
12 as required and the safety of the community.

13 It is therefore ORDERED:

- 14 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
15 General for confinement in a correction facility separate, to the extent practicable, from
16 persons awaiting or serving sentences or being held in custody pending appeal;
- 17 2. Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;
- 19 3. On order of the United States or on request of an attorney for the Government, the
20 person in charge of the corrections facility in which defendant is confined shall deliver
21 the defendant to a United States Marshal for the purpose of an appearance in connection
22 with a court proceeding; and

- 01 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
02 for the defendant, to the United States Marshal, and to the United State Pretrial Services
03 Officer.

04 DATED this 26th day of October, 2012.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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